

and mobile generator support, and (4) communications as critical elements to enhancing disaster preparedness. In addition, the state is requesting \$100 million for law enforcement equipment and infrastructure repairs that will support both preparedness and recovery functions. Similar assistance was provided after Hurricanes Katrina and Rita.

#### 6. HEALTHCARE AND SOCIAL SERVICES DISASTER ASSISTANCE

The Louisiana Hospital Association estimates that the total financial and operational impact of Hurricane Gustav on Louisiana's hospitals is as much as \$302 million. The hospitals, many of which were still struggling with post-Katrina and Rita losses, have sustained reported losses of net revenue, and have incurred costs for incremental salary and labor, sheltering and evacuation, facility damage and debris removal, and other non-ordinary costs attributable to the storm. An adjustment of the Medicare Wage Index to address the higher cost of providing services after 2005 and 2008 hurricanes would provide significant relief and allow these institutions to continue administering critical medical services.

Additionally, the hospitals are requesting funding for hazard mitigation and remediation for hardening of facilities and upgrading of generator capabilities. It became apparent during the event that many hospitals could not maintain optimally safe environments with the current capacity of their generator systems. We are also deeply concerned about the lack of generator capacity in our state's nursing homes. Finally, the State of Louisiana is requesting \$50 million in SSBG funding to provide for mental health treatment, primary care medical services, and repair of damaged foster homes.

These priorities are among the many challenges still facing our state as we recover from Hurricane Gustav and do not represent an exhaustive list of recovery needs, especially as we still assess damages caused by Hurricane Ike. It is with great hope for the future of the people of Louisiana that we request this assistance and also request that it be included in the upcoming stimulus legislation or any other legislative spending vehicle. Lieutenant Governor Mitch Landrieu and Commissioner of Agriculture Mike Strain will be in Washington to discuss these important recovery needs with you and your staff.

Sincerely,

GOVERNOR BOBBY JINDAL,  
*State of Louisiana.*  
LT. GOVERNOR MITCH  
LANDRIEU,  
*State of Louisiana.*  
COMMISSIONER OF  
AGRICULTURE MIKE  
STRAIN,  
*State of Louisiana.*

Ms. LANDRIEU. I have a number of the press accounts, and I will just read for the RECORD the headlines that are pouring into my office each day from newspapers around the State. This one:

Ike badly damages Rita-ruined region. Hurricane Ike's receding storm waters on Monday revealed a footprint of damage across coastal southwest Louisiana too similar and too soon after Hurricane Rita of 2005.

Storm report: Vermilion Parish sees tough road ahead.

Again, a Parish hard hit just 3 years ago.

Cameron Parish: "Still too much water."

These headlines are streaming into my office.

St. Mary Parish: Cypremort Point residents digging out of mud.

Barataria to pick up pieces.

St. John, St. Charles dig out, clean up.

16,000 people at Blackham Coliseum—

waiting for help and assistance.

Gustav, Ike set record for power outages in Louisiana.

Finally, as my time draws near:

Storm update: Gustav's damage to Louisiana crops estimated at hundreds of millions of dollars.

I wish to say on behalf of my friend from Texas, we have some headlines we received in Louisiana about Galveston and about the billions in storm damage to our neighbors in Texas, because we have a situation that I hope our Congress will respond to before we leave here, some agricultural damage and storm damage for the Gulf Coast States, and also to reach back and pick up some of that damage we did not address in the Midwest floods.

I thank my colleagues for their understanding. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

#### DEFENSE AUTHORIZATION

Mr. DODD. Madam President, I know the Senator from Michigan is maybe doing so, but as I understand it, there was objection raised to the consideration of a managers' amendment regarding, I guess, 100 amendments. One of those amendments is a proposal of Senator SHELBY and I, along with a unanimous vote of our Banking Committee, after lengthy discussion. It was the Iran sanctions proposal, which took a lot of work and effort to put together.

This was a comprehensive package, widely endorsed across the country by organizations to give us the kind of leverage necessary for us to bring Iran to the negotiating table diplomatically to reduce the threat that their potential nuclear arsenal poses to us, our allies, the State of Israel and others.

I appreciate the fact that the managers of this bill had included this amendment in their managers' package. It would be a great travesty, in my view, for us to leave here having the other body having adopted similar language. This is the one opportunity for this body to embrace an economic sanctions proposal which would give us tremendous leverage in our efforts to bring Iran to that table.

To lose that opportunity would be a serious loss of opportunity for this country. So, again, my dear friend from Virginia was here. Therefore, on behalf of those of us on the committee, unanimously, the Dodd-Shelby Iran sanctions divestment nonproliferation amendment to the DOD authorization bill, I ask unanimous consent that notwithstanding any agreement with respect to S. 3001, it be in order for the Senate to consider amendment No. 5572 and that the amendment be considered and agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. Reserving the right to object, and I will object, I wish to advise the Senator that the vote to take place right now is on final passage. It has been agreed to by unanimous consent. Prior thereto, the distinguished chairman raised the question of the package to which you refer.

I, personally, approved of putting in the amendment. It had been my hope, I say it is now no longer my hope, my disappointment, that that could not be achieved along with about 100 other amendments from both sides of the aisle.

So at this time I have to object and ask the Chair for regular order for the vote.

The PRESIDING OFFICER. Objection is heard.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 3001, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 3001) to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Reid amendment No. 5290, to change the enactment date.

Reid amendment No. 5291 (to amendment No. 5290), of a perfecting nature.

Mr. CARDIN. Madam President, I rise today in support of the fiscal year 2009 Defense Authorization Act, a critical piece of legislation that honors the men and women who are so honorably serving in the Armed Forces and that provides our military with the tools it needs to keep our country safe.

I am most proud of the investments this legislation makes in our military's most important resource—the men and women who serve in uniform. Recognizing the strain multiple deployments and difficult economic times has placed on our troops and their families, this bill increases military pay by 3.9 percent.

This bill goes further to make sure that we keep our military strong at a time when two wars have overstretched and overstressed our troops. The bill allows us to grow our military. By increasing the end strength of the Army, Marine Corps, Air National Guard, and Army Reserve, we can reduce the stress on our troops caused by multiple and extended deployments. And we can be sure we have the troops we need to meet future challenges in an ever more uncertain world.

This bill continues bonuses and incentives that reward our military men and women and encourage them to continue their service. It provides new incentives to military psychologists and nursing students to address the ongoing shortages in these critical areas. The legislation prohibits the Administration's proposed increase in TRICARE fees for retirees and reservists.

While medical treatment for wounded soldiers has improved dramatically over the course of the wars in Iraq and Afghanistan, too often that care is just too hard to access. I believe that managing paperwork and scheduling appointments in a timely and efficient manner is just as much a part of quality medical care as the treatment provided by medics and surgeons.

Last year this Congress acted aggressively to address the red tape that kept our wounded warriors from their doctors and counselors. The Wounded Warrior Act allowed the Department of Defense to address the substandard living conditions, poor outpatient care and bureaucratic roadblocks faced by injured soldiers at Walter Reed and around the country.

One month ago, I visited a soldier transition unit at Ft. Meade, MD. I saw firsthand how hard our wounded warriors are working to recover from their often devastating injuries. I saw a Department of Defense that has recommitting itself to making sure our wounded warriors and their families get the care and support they need and deserve. This bill requires that the Secretaries of Defense and Veterans Affairs continue the Senior Oversight Committee that oversees implementation of wounded warrior initiatives. This high level leadership is critical if we are going to continue to improve the quality of care we provide our troops.

Investments in growing the force as well as in providing fair pay and good benefits are smart investments in our military's most valuable resource. Our military is only as strong as the skilled and dedicated men and women who serve.

Even with all the important provisions in this bill, I think it can be even better. It's been 60 years since President Harry S. Truman ended racial segregation in the military. In the intervening years, military leaders have come to believe that maintaining a highly qualified, diverse military—from the enlisted ranks to the four-star generals and admirals—is essential to the military's ability to provide for our national security. A military that clearly reflects equal opportunity for everyone is critical, not only for morale, but also for readiness. Just look at the increasingly diverse enemies we confront and the divergent environments into which we send our troops.

But despite future projections of minority growth in the United States, a recent senior-level Department of Defense projection found virtually no

prospect for reaching adequate representation of minorities or women in the higher military ranks in the next decade. I am proud that increasing the racial/ethnic and gender diversity of our military leadership has become a strategic priority for the Department of Defense. The Department commissioned the Rand Corporation to make recommendations for how it could improve.

Issued in 2008, the Rand Corporation's report, titled Planning for Diversity, found that the Department of Defense remains ill prepared to retain and promote minorities and women to leadership positions. Specifically, the Department is still without a uniform definition of diversity as well as a department-wide plan to guide, support, and streamline diversity efforts. On the heels of the 60th anniversary of integration of the Armed Forces, we can and must do better.

I filed an amendment to the fiscal year 2009 Defense Authorization Act that would jump start the creation of a strategic plan for achieving this departmental priority: ensuring diversity at all levels of the military. My amendment would create a high-level task force to study the current state of diversity at all levels of the Armed Forces and make recommendations for improvement. The task force would consist of senior members of the Armed Forces as well as individuals with expertise in cultivating and managing diversity in private or non-profit organizations. The task force would develop the first department-wide definition of diversity, evaluate existing policies for encouraging diversity in and outside the military, and make recommendations for future action for increasing diversity at all levels and in all areas of the military departments.

The amendment builds on a provision included in the House Defense Authorization bill and incorporates comments by the Department of Defense. The Department stated in formal comments that it "welcome[s] the assistance that would come from the work proposed by the legislation."

I am grateful to my colleagues in the Congressional Black Caucus, especially Congressman ELIJAH E. CUMMINGS, Congresswoman DIANE E. WATSON, Congressman HANK JOHNSON, and Congressman KENDRICK B. MEEK who have worked so hard on this issue and on this provision. I am very disappointed today that the amendment could neither receive a vote nor be included in the bill by unanimous agreement. I hope that as the managers of this bill work to finalize the fiscal year 2009 Defense Authorization Act, they will consider the language I have proposed to increase diversity at all levels of the Armed Forces.

Mr. President, in closing, I commend my colleagues Chairman LEVIN, Senator WARNER, and all the other members of the Armed Services Committee for their hard work to craft and pass this bill. I look forward to casting my

vote to support it. I also want to take a moment to congratulate Senator WARNER for his work on countless other critical pieces of legislation in years past. I will miss his wise counsel on issues of national and regional importance, I will miss his good humor, and I will miss his grace. I wish him only the best in retirement.

Mrs. HUTCHISON. Madam President, I rise today to speak about the 2009 Defense authorization bill. I will vote in favor of this legislation primarily because I support pay raises for our troops, but I have some very serious concerns about how this bill came to the floor.

This \$612.5 billion measure will authorize spending for national security programs in the Defense and Energy departments. That includes \$70 billion to fight the war on terror in Iraq and Afghanistan, and a 3.9 percent pay raise for military personnel. I proudly support those appropriations.

In the last year and a half, we have made incredible progress in our war against the terrorists, and in building a sustainable democracy in the heart of the Arab world. Since General Petraeus became the U.S. Senior Commander in Iraq, al-Qaida has been swept from its former strongholds in Anbar province and Baghdad. Roadside bomb attacks and fatalities in Iraq have fallen by nearly 90 percent. The Iraqis—through organizations such as "The Sons of Iraq"—are taking more responsibility for their security.

General Petraeus recently left his position as Commanding General in Iraq to become the Commander of U.S. Central Command. The task of leading U.S. forces in Iraq now rests in the capable hands of GEN Ray Odierno. I commend General Odierno on his promotion, and on behalf of all America, I wish him success in completing the "surge strategy."

We must resist calls for premature withdrawal from Iraq and maintain our presence there until victory is secure. Today's appropriations bill gives us the resources to continue that mission. However, the U.S. Senate has a long history of allowing members of both the majority and the minority to offer amendments, debate changes, and ensure that the concerns and ideas of every Senator are addressed. Traditionally a majority of Senators will decide an issue after bipartisan deliberation. But in this case, the Senate majority leader decided the issue with no input from the minority.

The 110th Congress has experienced a record number of cloture votes—due in no small part to the tactics employed by the majority. The methods by which this bill came to the floor are not in the best long-term interests of the Senate. They are not in the best interests of the American people. The citizens of our country deserve better.

I am glad that our brave service members will have the armaments and equipment they need, and that our veterans will have the health care and other benefits they deserve.

Once again, I will vote for this legislation because the risk to our soldiers and veterans is too great. Time simply ran out. But we should all be concerned by the manner in which this bill was presented.

Mr. BYRD. Madam President, I regret that again this year I must vote against the National Defense Authorization Act. I support many of the provisions in this bill, which authorizes the activities of the Department of Defense, including important research, development and procurement funding to improve our Armed Forces and the operations and maintenance funding necessary to ensure the smooth running of the military services over the coming year. I support these activities, which not only benefit those servicemembers currently serving overseas in Afghanistan and Iraq, but also help build a strong and effective military for the future. I applaud the fine work of Senator LEVIN and Senator WARNER and the staff of the Committee on Armed Services for their efforts in putting together a bill that is, in most ways, a good piece of legislation.

However, S. 3001 also provides authorization for the funding of continued operations in Iraq at levels requested by the Bush administration and without any provision to either transition the military mission in Iraq or to bring our troops home. In my view, providing this funding without conditions, without strings attached, is unacceptable.

In my view, the Congress should not continue to write blank checks for the prosecution of this apparently endless war in Iraq. In effect, this bill also provides a congressional authorization to fund the continuation of President Bush's policy in Iraq into 2009, without any strings attached. Amendments filed that would have limited the mission of U.S. forces in Iraq were not even considered during debate on the bill. That is truly unfortunate.

Continuing to prosecute this war at the current rate is straining our military to the breaking point. Many units and individuals are enduring their third and fourth rotations to Iraq, and because no limits have been placed on the mission or force levels, there is no end in sight, despite efforts to declare the surge a success in bringing stability to Iraq. More and more military analysts are warning that the U.S. Armed Forces are at risk for becoming a "hollow force," as happened after the Vietnam conflict, putting our entire Nation at greater risk.

Our military commanders in Afghanistan are urgently requesting additional and substantial numbers of troops to counter the rising violence there, but there are few troops to spare for them. As a result, we risk losing whatever gains have been made there, in the actual central front of the war on terror and the hunt for Osama bin Laden and the al-Qaida organization. We must win that fight, there, or face more attacks like the one that took

place today against the U.S. embassy in Yemen.

I support our troops and I will not let them to lack for anything needed to do their job or to keep them safe. But I cannot countenance leaving them in Iraq forever, with no limits placed on their mission and no assurances by our commander in Iraq that this war is making the United States any safer.

The PRESIDING OFFICER. Under the previous order, all postcloture time is yielded back, the pending amendments are withdrawn, and the clerk will read the title of the bill for the third time.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. LEVIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a significant second.

The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

My KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 88, nays 8, as follows:

[Rollcall Vote No. 201 Leg.]

YEAS—88

Akaka	Dorgan	Mikulski
Alexander	Durbin	Murkowski
Barrasso	Ensign	Murray
Baucus	Enzi	Nelson (FL)
Bayh	Feinstein	Nelson (NE)
Bennett	Grassley	Pryor
Bingaman	Gregg	Reed
Bond	Hagel	Reid
Boxer	Harkin	Roberts
Brown	Hatch	Rockefeller
Brownback	Hutchison	Salazar
Bunning	Inhofe	Schumer
Burr	Inouye	Sessions
Cantwell	Isakson	Shelby
Cardin	Johnson	Smith
Carper	Kerry	Snowe
Casey	Klobuchar	Specter
Chambliss	Kohl	Stabenow
Clinton	Kyl	Stevens
Cochran	Landrieu	Sununu
Coleman	Lautenberg	Tester
Collins	Leahy	Thune
Conrad	Levin	Voinovich
Corker	Lieberman	Warner
Cornyn	Lincoln	Webb
Craig	Lugar	Whitehouse
Crapo	Martinez	Wicker
Dodd	McCaskill	Wyden
Dole	McConnell	
Domenici	Menendez	

NAYS—8

Allard	DeMint	Sanders
Byrd	Feingold	Vitter
Coburn	Graham	

NOT VOTING—4

Biden	McCain
Kennedy	Obama

The bill (S. 3001), as amended, was passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

Mr. NELSON of Florida. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

#### DEPARTMENT OF DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

The bill (S. 3002) to authorize appropriations for fiscal year 2009 for the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as amended, as follows:

(The bill will be printed in a future edition of the RECORD.)

#### MILITARY CONSTRUCTION AUTHORIZATION ACT FOR FISCAL YEAR 2009

The bill (S. 3003) to authorize appropriations for fiscal year 2009 for military construction, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as amended, as follows:

(The bill will be printed in a future edition of the RECORD.)

#### DEPARTMENT OF ENERGY NATIONAL SECURITY ACT FOR FISCAL YEAR 2009

The bill (S. 3004) to authorize appropriations for fiscal year 2009 for defense activities of the Department of Energy, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as amended, as follows:

(The bill will be printed in a future edition of the RECORD.)

Mr. NELSON of Florida. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

Mr. LEVIN. Mr. President, this bill is the 47th consecutive national defense authorization bill that has come out of the committee and been brought to the Senate floor for debate and passage. Every year since 1961, the Senate has met the challenge, overcome obstacles, and negotiated ourselves to the point of final passage. Because of the vital importance of this bill to the men and women of our Armed Forces and to the Nation, this was a bill that was worth fighting for for passage. It is part of the rich tradition of the Senate. We all can be proud of that tradition.